

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference C62863 PC	FOR FURTHER ACTION	
	see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/EP2004/007679	International filing date (day/month/year) 12/07/2004	(Earliest) Priority Date (day/month/year) 10/07/2003

Applicant

CYTOS BIOTECHNOLOGY AG

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. Certain claims were found unsearchable (See Box II).

3. Unity of invention is lacking (see Box III).

4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

Isenbruck Bösl Hörschler Wichmarin Huhn, Patentanwälte Postfach 860 880 D-81635 München	
10. Dez. 2004	
Frist: Vorfrist: WV:	

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regards to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. _____

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

- b. none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/EP2004/007679

Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item 1.b of the first sheet)

1. With regard to any nucleotide and/or amino acid sequence disclosed in the International application and necessary to the claimed invention, the international search was carried out on the basis of:
 - a. type of material
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material
 - in written format
 - in computer readable form
 - c. time of filing/furnishing
 - contained in the international application as filed
 - filed together with the international application in computer readable form
 - furnished subsequently to this Authority for the purpose of search
2. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
3. Additional comments:

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INTERNATIONAL SEARCH REPORT

International Application No
PCT/EP2004/007679

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7	A61K39/00	A61K39/002	A61K39/02	A61K39/12	A61K39/295
	A61K39/35	A61K39/36	A61P37/04	C07K14/025	C07K14/08
	C12N15/12				

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A61K A61P C12N C07K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, MEDLINE, BIOSIS, EMBL

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 03/024481 A (BACHMANN MARTIN F ; LIPOWSKY GERAD (CH); MAURER PATRICK (CH); MEIJERIN) 27 March 2003 (2003-03-27) page 9, line 4 – page 13, line 12; claim 21; examples 1-30 ----- SCHWARZ KATRIN ET AL: "Role of toll-like receptors in costimulating cytotoxic T cell responses." EUROPEAN JOURNAL OF IMMUNOLOGY, vol. 33, no. 6, June 2003 (2003-06), pages 1465-1470, XP008039398 ISSN: 0014-2980 figures 1-3; table 1 page 1465 – page 1469 ----- -/-	PA022WD 1-22, 26-63
X		1-15, 17-22, 26-39, 44-63

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

° Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

29 November 2004

Date of mailing of the international search report

13/12/2004

Name and mailing address of the ISA

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Authorized officer

Schulz, R

International Application No

PCT/EP2004/007679

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 01/22972 A (COLEY PHARMACEUTICAL GMBH ; UNIV IOWA RES FOUND (US)) 5 April 2001 (2001-04-05) page 7, line 8 - line 13; table A -----	7-29
A	WO 02/056905 A (LECHNER FRANZiska ; PIOSEK CHRISTINE (CH); RENNER WOLFGANG A (CH); BA) 25 July 2002 (2002-07-25) page 4 - page 11 -----	

INTERNATIONAL SEARCH REPORT

International application No.
PCT/EP2004/007679

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:
Although claims 57 – 59, 61 and 62 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- The additional search fees were accompanied by the applicant's protest.
 No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP2004/007679

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
WO 03024481	A	27-03-2003	EP WO US	1450856 A2 03024481 A2 2003099668 A1	01-09-2004 27-03-2003 29-05-2003
WO 0122972	A	05-04-2001	AU BG BR CA CN CZ EE EP HU JP NO NZ PL SK TR WO US ZA	7615300 A 106538 A 0014236 A 2388055 A1 1454091 T 20021050 A3 200200158 A 1221955 A2 0202639 A2 2003510282 T 20021453 A 517929 A 354997 A1 3962002 A3 200200797 T2 0122972 A2 2003212026 A1 200201963 A	30-04-2001 29-12-2002 15-10-2002 05-04-2001 05-11-2003 15-01-2003 16-06-2003 17-07-2002 28-12-2002 18-03-2003 27-05-2002 27-02-2004 22-03-2004 01-04-2003 21-10-2002 05-04-2001 13-11-2003 10-03-2003
WO 02056905	A	25-07-2002	BR BR CA CA CN CN EP EP WO WO JP JP US US BR CA WO EP BR BR CA CA WO WO EP EP US US	0206565 A 0206566 A 2433316 A1 2433862 A1 1487838 T 1487840 T 1370290 A2 1353691 A2 02056905 A2 02056907 A2 2004522735 T 2004522736 T 2003175711 A1 2003175290 A1 0213117 A 2462857 A1 03031466 A2 1432443 A2 0213941 A 0213950 A 2465981 A1 2466492 A1 03039225 A2 03040164 A2 1441764 A2 1443960 A2 2003157479 A1 2004033211 A1	27-01-2004 27-01-2004 25-07-2002 25-07-2002 07-04-2004 07-04-2004 17-12-2003 22-10-2003 25-07-2002 25-07-2002 29-07-2004 29-07-2004 18-09-2003 18-09-2003 21-09-2004 17-04-2003 17-04-2003 30-06-2004 31-08-2004 24-08-2004 15-05-2003 15-05-2003 15-05-2003 15-05-2003 04-08-2004 11-08-2004 21-08-2003 19-02-2004